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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/846,025

04/30/2001

Philip M. Ginsberg

CF-20

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EXAMINER

DASS, HARISH T

ART UNIT

PAPER NUMBER

3693

MAIL DATE

DELIVERY MODE

05/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/846,025

Applicant(s)

GINSBERG ET AL.

Examiner

Harish T. Dass

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-42 and 46-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-11, 13-42 and 46-55 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Appendix A</u> . |

DETAILED ACTION
Election/Restrictions

Status of claims:

Claims 12, 43-45 are canceled.

Pending claims, 1-11, 13-42, 46-55.

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

A. CLASS 463

- I. Claims 1-6, and 7-10, 25, 55 are drawn to qualifying client to participate in wager, classified in class 463, subclass 25.
- II. Claims 11, 13-15, 16-19, 23-24, 41-42, 46, 47-48, 49 are drawn to determining limits and authorization, classified in class 463, subclass 29.
- III. Claims 20-22 are drawn to generating selections of outcomes, classified in class 463, subclass 4.
- IV. Claims 34-38, 52-54 are drawn to determining spread, classified in class 463, subclass 25.
- V. Claims 26-29 and 30-33 are drawn to hedging and risk, classified in class 463, subclass 25.

B. CLASS 705

- VI. Claims 39-40 are drawn to market price, classified in class 705, subclass 37.

C. CLASS 235

VII. Claims 50, 51 are drawn to issuing encoded card, classified in class 235, subclass 382.

The inventions of group A, B and group C are distinct, each from the other because of the following reasons:

1. Group A is classified as class 463 "games", group B is classified as class 705 (business method) and group C is classified as class 235 each invention has been identified in the art as a separate subject for inventive effort.
2. Group A (Class 463), Inventions I-V are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the each case (I, II, III, IV, V), the combination as claimed does not require the particulars of the subcombination (I does not require II, III, IV or V; II does not require I, III, IV or V; ...) as claimed because:

Subgroup I is directed to qualifying client to participate in wager, subgroup II directed to drawn to determining limits and authorization, subgroup III directed to generating a selections of outcomes, subgroup IV directed to determining spread, and subgroup V directed to hedging and risk. The subcombinations have separate utilities.

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Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper. See Appendix A.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

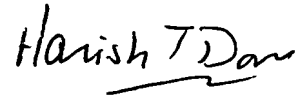
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Examiner
Art Unit 3693



5/11/07

[illegible]

[!] A1, B1, C1, ... represents the limitations are different need different search unless obvious.

Claim Mapping (limitations)

- * S – display is updated only when it is a new data. For example the stock ticker display is updated when the price changes.

Claim Mapping (limitations)

[illegible]

Claim Mapping (limitations)

Classification	463/ 25 Claim	463/ 25 Claim	463/ 29 Claim	463/ 4 Claim	463/ 29 Claim	463/ 25 Claim	463/ 25 Claim	463/ 26 Claim	463/ 30 Claim	463/ 34 Claim	705/ 37 Claim	463/ 29 Claim	463/ 29 Claim	463/ 29 Claim	463/ 29 Claim	463/ 29 Claim	235/ 382 Claim	463/ 25 Claim	463/ 25 Claim
Limitation Claimed (Independent claims)	1	7	11	16	20	23	25	26	30	34	39	41	46	47	49	50	51	52	55
said event outcome being associated with a date or time and a market, wherein a price for said event outcome for said date or time is unavailable from said market.																			
Ll - calculating said price for said event outcome in accordance with available market information.											Ll								
Mm - displaying to said client said calculated price											Mm								
Nn - receiving from said client instructions defining a maximum amount said client desires to risk												Nn							
Oo - warning said client when said requested wager and other wagers of said client exceed said maximum amount												Oo							
Pp - receiving from a client instructions defining a wagering limit													Pp						
Qq - calculating a total wagering amount for said client based upon said requested wager and other wagers made by said client													Qq	Qq					
Rr - notifying said client when said total wagering amount exceeds said wagering limit													Rr						
Ss - displaying to a client a first display comprising a selection of event outcomes on which said client is authorized to wager														Ss					
Tt - displaying to said client a second display comprising a non-wagering environment when said total wagering amount exceeds a predetermined wagering limit														Tt					
Uu - receiving from a client instructions defining a loss limit															Uu				
Vv - calculating a total loss amount for said client in response to said client losing a wager, said total loss amount based upon said lost wager and other wagers lost by said client															Vv				
Ww - notifying said client when said total loss amount exceeds said loss limit															Ww				
Xx - issuing a card to a client, said																Xx			Xx

Classification	463/ 25	463/ 25	463/ 29	463/ 11	463/ 16	463/ 4	463/ 29	463/ 20	463/ 23	463/ 25	463/ 26	463/ 30	463/ 34	705/ 37	463/ 29	463/ 41	463/ 29	463/ 46	463/ 29	463/ 47	463/ 29	235/ 382	Claim 51	235/ 382	Claim 52	463/ 25	463/ 25
Limitation Claimed (Independent claims)	Claim 1	Claim 7	Claim 11	Claim 16	Claim 20	Claim 23	Claim 25	Claim 26	Claim 30	Claim 34	Claim 39	Claim 41	Claim 46	Claim 47	Claim 49	Claim 50	Claim 51	Claim 52	Claim 53	Claim 54	Claim 55	Claim 56	Claim 57	Claim 58	Claim 59	Claim 60	Claim 61
card encoded with identification information and financial information associated with said client																											
Yy - reading said encoded information from said card																	Yy	Yy					Yy	Yy			
Zz - displaying to said client a selection of wagerable event outcomes on which said client is authorized to wager in accordance with said encoded information																	Zz	Zz					Zz	Zz			
Aaa - receiving a request from said client to wager on one of said selection of wagerable event outcomes																		Aaa	Aaa				Aaa	Aaa			Aaa
Bbb - updating on said card said financial information																		Bbb	Bbb				Bbb	Bbb			
Ccc - updating a financial information record associated with said client in accordance with said encoded information read from said card, said financial information record stored within a data processing computer																							Ccc	Ccc			
Ddd - receiving a request from a client to wager on an event other than one of said selection of wagerable event outcomes																									Ddd		
Eee - analyzing whether said requested event outcome should be offered as a wagerable event outcome																									Eee		
Fff - establishing price and spread for said requested event outcome in response to a favorable analysis of said requested event																									Fff		
Ggg - adding said requested event outcome to said selection of wagerable event outcomes in response to said favorable analysis																									Ggg		Ggg
Hhh -																											

• Access card is smart card?

Claim Mapping (limitations)

